

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MICHAEL MCCARTHY, et al.,

Plaintiffs,

-against-

CHARLES D. BAKER, et a.,

Defendants.

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) CIVIL ACTION NO.
) 1:20-cv-10701-DPW
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DECLARATION OF BRENT CARLTON

I, Brent Carlton, declare as follows:

1. I have personal knowledge of the facts stated herein, and if called as a witness, I could competently testify to these facts. This declaration is executed in support of Plaintiffs' motion for Summary Judgment.
2. I am the President of Commonwealth Second Amendment, Inc. ("Comm2A") Acting in this role within the organization, I am familiar with Comm2A's membership.
3. Comm2A is a Massachusetts based, non-profit organization dedicated to preserving and expanding the Second Amendment rights of individuals residing in New England and beyond. Comm2A works locally and with national organizations to promote a better understanding of the rights guaranteed by the Second Amendment to the United States Constitution
4. Comm2A has responded to numerous inquiries from members, supporters,

and the general public, regarding the closure of gun retailers and ranges. I am aware that many of our members are concerned about the ability to purchase guns and ammunition as most if not all of our members wish to exercise their fundamental constitutional rights and have for lawful purposes including self-defense, proficiency training, hunting, and sport, firearms and ammunition. Members have expressed concern that, if a predicted second wave of COVID-19 comes to fruition, gun retailers and ranges will be ordered to closed, cutting off those members ability to purchase guns and ammunition as well as the ability to maintain proficiency.

5. Comm2A has also received inquiries from Massachusetts residents who have applied for, but not yet received, a license to carry firearm. These members expressed concern that, once properly licensed, they will be unable to acquire guns and ammunition or learn how to use newly acquired handguns if the Governor once again orders gun stores and ranges to close.
6. My inquiries have revealed that there are currently thousands of pending license applications in the Commonwealth of Massachusetts.
7. Comm2A has had to divert time and resources, including financial resources, to advance the causes set forth in this lawsuit, and to devote staff time and attention to the matters that are being challenged in the lawsuit. Failure to obtain the relief requested in the lawsuit would result in severe frustration of the purpose and mission of our organization.
8. Our law-abiding adult members who are, like me, typical citizens without any special government exemptions to the laws or special access to firearms, ammunition, and government ranges, have been injured in the same manner

described in the lawsuit and motion, including as asserted by the Individual Plaintiffs. This lawsuit is brought to vindicate our members' right to lawfully purchase, own, use, and maintain proficiency with rifles, shotguns, and handguns, and also brought in a representative capacity to advance the rights of similarly-situated Massachusetts residents and visitors who may be prohibited from buying rifles, shotguns, and ammunition, or practicing at a range.

9. Accordingly, and for the reasons set forth in the motion and supporting memorandum, we are respectfully requesting that the Court grant Summary Judgment, so that Plaintiffs and Plaintiffs' members, and others similarly situated to them can continue to exercise their fundamental constitutional rights.

I declare under penalty of perjury that the foregoing is true and correct. Executed on September 23, 2020.


Brent Carlton